

Attorneys Docket No. 038470-255206

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Ng et al Confirmation No.: 7759
Appl. No.: 10/651,499 Group Art Unit: 1722
Filed: 08/29/2003 Examiner: Kunemund, Robert
For: HIGH THROUGHPUT CRYSTALLIZATION CASSETTE FOR THE
GROWTH AND OPTIMIZATION OF MACROMOLECULAR CRYSTALS

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RULE 37 C.F.R. § 1.132 DECLARATION
of Joseph D. Ng, Ph.D**

I, Joseph Ng, of 907 Woodall Ln, Huntsville, Alabama 35816 do hereby declare and say as follows:

1. I am a named co-inventor, along with Jose A. Gavira-Gallardo, Juan M. Garcia-Ruiz, Greg Jenkins, and Mark Wells of an invention described and claimed in U.S. Patent Application Serial No. 10/651,499 ("the '499 Application"), entitled "High Throughput Crystallization Cassette for the Growth and Optimization of Macromolecular Crystals."

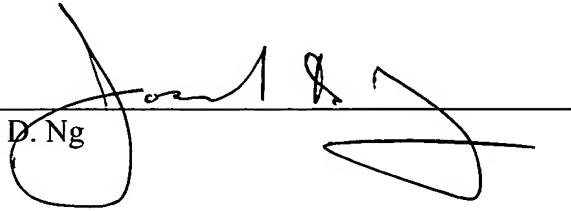
2. I am a coauthor of the article entitled Protein Crystallization by Capillary Counterdiffusion for Applied Crystallographic Structure Determination ("the Ng publication"), which was published in Vol. 142 of the Journal of Structural Biology at pages 218-231. Jose A. Gavira-Gallardo and Juan M. Garcia-Ruiz are also coauthors of the article. The Ng publication describes my work and that of coinventors Jose A. Gavira, Juan M. Garcia-Ruiz, Greg Jenkins, and Mark Wells and is the subject matter described and claimed in the '499 Application.

3. Greg Jenkins and Mark Wells are not coauthors of the Ng publication. However, both Greg Jenkins and Mark Wells are coinventors of the subject matter described in the Ng publication as they contributed to the conception of at least one claim. Greg Jenkins and Mark Wells, both of whom are engineers, were not included as coauthors because the Ng publication published in a journal that is primarily directed to the biological sciences, which is outside of Greg Jenkins and Mark Wells field of endeavor.

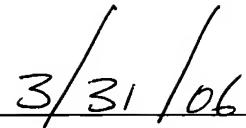
4. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

In re: Ng et al.
Appl. No.: 10/651,499
Filed: August 29, 2003
Page 2

Joseph D. Ng

A handwritten signature in black ink, appearing to read "Joseph D. Ng". The signature is fluid and cursive, with a large loop on the left and a smaller loop on the right.

Date

A handwritten date in black ink, appearing to read "3/31/06". The date is written in a standard digital format with a forward slash separating the month, day, and year.